



Louisville Metro Tree Advisory Commission

Tuesday, January 27, 2015, at 5:00 p.m.

Air Pollution Control District Boardroom

Meeting Minutes

I. Welcome and Announcements –Katy Schneider Co-Chair

The following Louisville Metro Tree Advisory Commission (hereinafter, “Commission” or “LMTAC”) members were present: Henry Heuser (Co-Chair), Katy Schneider (Co-Chair), Paul Capiello, Allen Steinbock, Scott Hannah, Maria Koetter, Claude Stephens, Kenya Wade, Cadell Walker, Amy Johnson, Betsy Ruhe, Robert Eberenz, Todd Eberle, Aaron Boggs, as well as ex-officio Commissioners Mesude Duyar, Sherie’ Long, and Michelle King.

Co-Chair Henry Heuser brought the meeting to order at 5:02pm.

II. Approval of Minutes – Henry Heuser, Jr., Co-Chair

Henry asked for and received unanimous approval of the minutes from last meeting. After the minutes were approved, Henry reported that he, Commissioner Claude Stephens and Co-Chair Katy Schneider met with Donna Hargens and Mike Raisor from Jefferson County Public Schools (JCPS) about a “reforestation” project to take place on a number of JCPS campuses. This project would replace the turf grass on a specified JCPS site and replace it with “no mow” landscaping that would create the opportunity for outdoor learning. Henry passed out a logo for the project that JCPS designed. Henry then passed around several articles on trees (from New York City, Louisville and other cities) for the group to look over.

III. Old Business

a. Nature Conservancy Update – Cadell Walker

Commissioner Cadell Walker introduced David Phemister, State Director of the Kentucky Chapter of the Nature Conservancy, who spoke about the importance of taking on urban projects and that Louisville is one of only 13 cities in the U.S. to have an urban Nature Conservancy program. David then introduced Chris Chandler as the new Director for Urban Conservation in Kentucky. Chris said he was looking forward to taking on some big projects and to assisting the LMTAC in future endeavors.

b. Update from the Office of Sustainability – Maria Koetter, Director of Sustainability

Commissioner Maria Koetter reported that her office is awaiting the final data for the Tree Canopy Assessment from the Davey Resource Group. Her team has received preliminary data and has been reviewing it. Henry asked who is on the team reviewing the data. Maria replied that the team consists of Erin Thompson (Urban Forestry Coordinator), Margaret Carreiro (University of Louisville), Ex-officio Commissioner (APCD) Michelle King, Wes Sydnor (MSD) and Ex-officio Commissioner (Metro Parks) Mesude Duyar. Erin added that the group has been correcting errors and making the draft document more “user-friendly.” Katy said that she finds the draft document confusing and it would be helpful if she could meet with a Davey representative. Erin offered to go over any confusing parts and address all of Katy’s concerns.

c. Update from Urban Forestry Coordinator – Erin Thompson, Urban Forestry Coordinator

Erin said she has been working on several projects. She began talking about her budget for this fiscal year. She noted that the budget can be used for tree well improvements, stump removal and other projects not directly related to tree plantings. She spoke of the partnerships she has forged with Louisville Metro Public Works and various neighborhood groups in an effort to pool resources in light of budget limitations. And she added that she is on track to spend this year’s entire budget (\$100,000).

Erin then said that she, along with Gina O’Brien, have been in talks with the Kentucky Transportation Cabinet (KYTC) concerning their speed limit and clear zones policies. Henry asked Erin a question about roadside tree trunk allowances and she said that they used to be 4”, but now they are 6”. (See Attachment A for a copy of the document Erin distributed at the meeting concerning KYTC speed limit and clear zone data.)

Commissioner Scott Hannah asked Erin if KYTC distinguishes between highways and in-town roads in their policies. Erin replied that they do not. She added that KYTC reserves the right to deny all permits and that KYTC considers all lanes as travelling lanes on streets like Main, Market and Bardstown Rd. This affects how trees can be planted on these roads, even though they are in urban settings.

d. Chapter 10 Recommended Revisions Update – Katy Schneider

Katy reported that LMTAC’s recommended revisions to Chapter 10 of the Land Development Code (LDC) have gone in front of the Planning Commission and they would like to see some language in the “fee in lieu” clause changed. Katy then described the fee in lieu process and stated that LMTAC’s goal is to ensure that any monies collected from developers who opt out of planting and pay the fee in lieu, go into a separate account specifically for trees. She also said that overall canopy requirement percentages will be discussed at a future Planning Commission (it was thought that this would not happen). Katy ended by saying that originally, LMTAC were told by representatives from Louisville Metro Planning and Design that there had to be waivers available for tree canopy reductions. Now LMTAC is being told by the Planning Commission’s lawyers that there are non-waiverable items in the LDC and they will look into the possibility of declaring tree canopy requirements not eligible for waivers.

IV. New Business

a. Tree Fund Decision Making Process – Allen Steinbock

Secretary/Treasurer Allen Steinbock gave a review of LMTAC's procedures for expenditures. See Attachment B.

Mike Hayman asked if LMTAC funds can be used for tree infrastructure in addition to plantings. Allen responded yes. Henry asked how much money is in the fund right now and Allen said that the balance (\$14,177.26) is in the report he passed out (Attachment B).

Allen made a motion for the LMTAC to approve the funding of its portion of the Tree Canopy Assessment in the amount of \$9,200. Commissioner Todd Eberle seconded the motion. Henry called for a vote and the motion passed unanimously. Katy added that the study was funded by a number of sources: \$50,000 from Louisville Metro, \$2,500 from LG&E, and remainder of \$9,200 from the LMTAC Tree Fund.

Erin added that her yearly budget is down to \$85,000 and that money is already accounted for. Henry asked about the possibility of getting matching funds from neighborhood groups for plantings and Erin responded that she is currently looking to add neighborhood partners.

V. Committee Reports

a. Policy Committee/Tree Ordinance – Todd Eberle

Todd began by listing the nine articles that the Policy Committee recommends as the structure for the proposed tree ordinance:

1. Policy/Purpose
2. Planting
3. Maintenance/Preservation
4. Governmental Structure (where the ordinance would "live")
5. Commission's Role
6. Enforcement/Penalties
7. Appeals
8. Severability
9. Miscellaneous

Todd followed up by saying that the Policy Committee should have a finished draft of the ordinance completed by spring 2015. Katy said that she would like to see LMTAC have some regulatory authority over the ordinance. Michelle noted that LMTAC is separate from the ordinance and that the language contained in the ordinance is based on the work of other cities. Claude Stephens added that in a perfect world, there would be a new entity created to oversee the ordinance and Michelle agreed, saying that it should remain separate from LMTAC. Todd concluded by saying that an ordinance is needed because what we currently have is an executive order and that could easily be rescinded.

VI. Community Projects Update

Mike Hayman began by saying that there will soon be another phase of plantings happening at Atherton High School (with more trees donated by Ecotech). These trees will be in addition to the 80 trees the school has planted over the last two years.

Mike then spoke of a few other projects he has in the works:

1. Butchertown – He plans on removing a large number of Bradford Pears in the 700 block of E Washington St, increasing the size of the existing tree wells, and replacing the old trees with larger species (contingent upon finding donors for the trees). He also said that he is looking into species that can be contorted to grow around the existing power lines (perhaps London Plains).
2. Irish Hill – Mike stated that he was able to secure some very large trees for this project a couple of years ago and that Parks added 29 trees, as well. Part of the project included the removal of Ash trees in the Liberty/Lexington traffic island and replacing them with 7 tough, urban appropriate trees. The Irish Hill neighborhood will handle the watering of these trees.
3. Westport Rd – Mike reported that he has secured a Highways permit to plant two Red Cedar Clones on Westport Rd.

Mesude added that the Parks Department has had a very successful winter growing trees and that they have 1,000 trees ready for planting.

Ken Herndon added that the Louisville Downtown Partnership has put together its 2014 Green Report and it details their efforts in planting and tree well improvements.

Jessica Loving (guest) said that she has been helping Mike with the Butchertown project and that they are trying to get trees planted at Riverport, but it is a very complicated endeavor due to the large number of owners on the site and the cost of watering.

VII. Adjourn

Henry adjourned the meeting at 6:08. The next meeting is February, 24, 2015, at 5:00pm in the Louisville Metro Air Pollution Control District Boardroom.

[Note: A few weeks after this meeting, the February 24, 2015, meeting was canceled. The next meeting was scheduled for March 24, 2015, at 5:00pm in the Highlands-Shelby Park branch of the Louisville Free Public Library at 1250 Bardstown Road.]